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CBRJPETC Teleconference

1 UNITED STATES DISTRICT COURT
1 SOUTHERN DISTRICT OF NEW YORK

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3 DEBORAH D. PETERSON, et al.,

4 Plaintiffs,

5 v.

10 Civ. 4518 KBF

6 ISLAMIC REPUBLIC OF IRAN, et al.,

7 Defendants.

8 -----x

10
11 November 27, 2012
11 10:40 a.m.

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15 Before:

16 HON. KATHERINE B. FORREST,

17 District Judge

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1 that is before me. Let me just sort of go back and review and
2 hear from people first on the issue of the answers and/or
3 motions to dismiss and whether or not people take the view that
4 those do not need to be put in place prior to a potentially
5 dispositive motion on partial summary judgment one way or the
6 other.

7 Let's assume for the moment that the court were to
8 decide that the partial summary judgment motion, in fact,
9 prevails. Then how does the court do that without now having
10 an answer to a complaint? We haven't yet joined issue
11 formally. Whoever wants to talk to me about that can talk to
12 me about that. That is probably the first issue we should
13 discuss.

14 The time on that, by the way, let me just tell you I
15 was thinking of because you can piggyback on the papers already
16 filed is December 14th, with oppositions on the 4th of January
17 and replies on the 11th. My intention is to resolve all of
18 these motions by the end of January, everything that is
19 outstanding to date. Yes? Can you state your name?
20 Everything went so fast.

21 MR. VOGEL: Liviu Vogel, attorney for the plaintiff.

22 With respect to the timing of the summary judgment
23 motion, and I haven't prepared to answer this for you, but I do
24 recall that there was a change in the timing of the federal
25 rules on summary judgment. You can actually make that motion

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1 10th.

2 THE COURT: By 12-10 we'll get the courtesy copies of
3 Mr. Panopoulos' fully briefed motion.

4 MR. PANOPOULOS: I'll coordinate with Mr. Vogel. We
5 can work together. That is fine.

6 THE COURT: We can get everything on the 12-10
7 including Mr. Vogel?

8 MR. VOGEL: Assuming I have seen it by the 10th, seen
9 Mr. Panopoulos' papers, we should be able to do that, yes.

10 THE COURT: If you can coordinate it by the 10th?

11 MR. PANOPOULOS: If not, we'll submit by the 10th.

12 THE COURT: Let's give an outside date for you to
13 submit not argument but just references to other facts in the
14 record that bear on Clearstream's business. I am not looking
15 for additional argument on a fully-briefed motion.

16 I am going to be taking these with me away, and so I
17 want to make sure I get them before I go. So, yeah, the 14th
18 is a Friday as opposed to the 15th. If there is anything else
19 you've got to add?

20 Those are the items that I had on my agenda. My hope
21 is to, as I said, resolve everything that is currently pending,
22 and that is what we have been talking about right now. It is
23 not talking about the motion to compel discovery that was
24 stayed or other things, but it is the big mega-pending motions
25 and then jurisdictional issues by the end of January. Things

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